

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 )  
 v. ) Criminal No. 04-30034-MAP  
 )  
 )  
 MICHAEL CROOKER, )  
 Defendant. )

Government's Motion to Extend Time

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully requests that the Court extend for one week the government's time to file its memorandum in opposition to Mr. Crooker's Rule 29(c) motion for a post-conviction judgment of acquittal. The government's motion is due today, September 25, 2006.

The government has been preparing its response to Mr. Crooker's motion, which may be barred as a matter of law. See Carlisle v. United States, 517 U.S. 416, 421 (1996) (Rule 29(c)'s seven day filing requirement is jurisdictional). On a substantive level, Mr. Crooker's motion simply reargues issues relating to mailing, the definition of a firearm silencer and knowledge that were presented to the Court and jury before and during Mr. Crooker's trial.

The attorney for the government responsible for responding to Mr. Crooker's motion has been preparing for and assisting in prosecuting the ongoing trial of United States v. Davis, Cr. 04-30033-MAP. As a result, he has not been able to complete the

government's opposition to Mr. Crooker's motion and respectfully requests a one week extension of time to do so.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

by: /s/ Kevin O'Regan  
Kevin O'Regan  
Assistant U.S. Attorney

Date: September 25, 2006

Certificate of Service

September 25, 2006

I certify that I caused the foregoing document to be served on counsel for the defendant, Vincent Bongiorno, Esq, 95 State Street, Springfield, MA 01103.

/s/ Kevin O'Regan  
Kevin O'Regan  
Assistant U.S. Attorney